

Honorable Judge Robert S. Lasnik

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

Zambezia Film (PO), LLC,  
Plaintiff,

vs.  
Does 1- 66,

Defendants

No. 2:13-00308 MJP-RSL

Request for Judicial Notice

Zambezia Film (Pty) LLC,  
Plaintiff,

vs.  
Does 1- 70,

Defendants.

No. 2:13-00312JP-RSL

Request for Judicial Notice

The Ledge Distribution, LLC,  
Plaintiff,

vs.  
Does 1- 71,

Defendants.

No. 2:13-00330 MJP-RSL

Request for Judicial Notice

This request is made in connection with John Doe with IP address 71.217.68.37, John Doe with IP address 97.126.124.186, John Doe with IP address 71.217.92.139, John Doe with IP address 71.217.91.41, John Doe with IP address 71.217.89.66, John Doe with IP address 97.126.112.240, John Doe with IP address 97.126.122.23, John Doe with IP address 97.126.115.11, John Doe with IP address 71.217.72.230, and John Doe with IP address 75.172.5.207 in the above captioned cases Motion to Squash.

Pursuant to Federal Rule of Evidence 201 and the authorities cited below, the various John Does hereby request that this Court take judicial notice of the following materials:

Request for Judicial Notice, page 1

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1 A. Magistrate Ruling, U.S. District Court, Eastern District for New York, In Re Bit Torrent  
2 Adult Film Copyright Infringement Cases, Order and Recommendation, Case 2:11-cv-03995-  
3 DRH-GRB, Docket # 39

4 B. District Judge Ruling, Safety Point Products, LLC et al., *Plaintiffs* v. DOES 1-14, DOES  
5 15-96, DOES 97-177, & DOES 178-197, Defendants, Case Nos 1:12-CV-2812, 1:12-CV-  
6 2820;1:12-CV-2831; 1:12-CV-2894, OPINION & ORDER date April 4, 2013

7 C. Magistrate Ruling, On the Cheap, LLC v. Does 1-5011, U. S. District Court, Northern  
8 District of California, Case No. C-10-4472 BZ, Docket # 66.

9 D. Magistrate Ruling, AF Holdings v. Does 1-96, U. S. District Court, Northern District of  
10 California, Case No. C-11-03335 JSC, Docket # 14, Order Denying Without Prejudice Plaintiff's  
11 Request for Discovery Prior to Rule 26(f) Conference.

12 E. *Pacific. Century International, Ltd v. Does 1-101*, CV-11 -2533 (DMR), 2011 WL  
13 5117424 at \*2 (N.D. Cal. Oct. 27, 2011)

14 A district court may take judicial notice of facts that are “not subject to reasonable dispute in  
15 that [they are] either (1) generally known within the territorial jurisdiction of the trial court or (2)  
16 capable of accurate and ready determination by resort to sources whose accuracy cannot  
17 reasonably be questioned.” Fed. R. Evid. 201(b); see also *Limestone Dev. Corp. v. Vill. of*  
18 *Lemont*, 473 F. Supp. 2d 858, 868 (N.D. Ill. 2007) (taking judicial notice of state court litigation  
19 because “[j]udicial notice is premised on the concept that certain facts or propositions exist  
20 which a court may accept as true without requiring additional proof from the opposing parties”).  
21 Furthermore, the Federal Rules of Evidence require a court to take judicial notice of a matter “if  
22 requested by a party and supplied with the necessary information.” Fed. R. Evid. 201(d); see also

1 *In re Ravisent Techs., Inc. Sec. Litig.*, No. 00-CV-1014, 2004 U.S. Dist. LEXIS 13255, at \* 2  
2 (E.D. Pa. July 12, 2004).

3 Exhibits A-E are all orders from United States Federal District Courts. It is well established  
4 that a court may take judicial notice of matters of public record. *Opoka v. I.N.S.*, 94 F.3d 392,  
5 394 (7th Cir. 1996) (“Indeed, it is a well-settled principle that the decision of another court or  
6 agency, including the decision of an administrative law judge, is a proper subject of judicial  
7 notice.”); *Berg v. United Steelworkers of Am., Local 3733*, No. 98-308, 1998 U.S. Dist. LEXIS  
8 4518, at \*19-20 (E.D. Pa. April 8, 1998) (citing 5A Charles Alan Wright & Arthur R. Miller,  
9 Federal Practice and Procedure, Civil 2d § 1357 (1990) (“matters of public record ... may also be  
10 taken into account”)). Specifically, federal courts may take judicial notice of proceedings in other  
11 courts, both within and outside of the federal judicial system, if those proceedings have a direct  
12 relation to matters at issue. *Allen v. City of Los Angeles*, 92 F.3d 842 (9th Cir. 1992).

13 These documents are offered to show how courts around the nation have handled issues of  
14 joinder and other issues in analogous cases. Thus, they are appropriate subject matter for judicial  
15 notice pursuant to Federal Rule of Evidence 201(b)(2).

16 For the foregoing reasons, the various John Does in the above captioned cases request that  
17 this Court consider Exhibits A-E as it reviews their joint Motion to Squash.

18 Respectfully submitted this 8<sup>th</sup> day of April, 2013

19 Law Offices of Gary Marshall

20 By: \_\_\_\_\_

21 Gary K. Marshall

22 WSBA # 15344

23 Attorneys for Various John Doe Defendants